

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/524,547

Applicant: KAPLAN, Harvey et al

Filing Date: October 26, 2005

Title: IN VACUO GLYCATION OF PROTEINS

Examiner: AUDET, Maury A

Group Art Unit: 1654

Docket: 056843-0003

July 5, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**ADDITIONAL COMMENTS FOR PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Dear Sir:

This communication is written further to the Notice of Abandonment dated March 5, 2010 received on the above-identified U.S. Patent Application. As stated in the enclosed form PTO/SB/64, the Applicant petitions for revival of the above-identified application on the ground that the application was unintentionally abandoned by failing to file a proper reply to the Office letter mailed on January 7, 2009. The undersigned attorney states that the abandonment was unintentional, and also states that the entire delay in filing the required reply from the due date for the reply until the filing of this petition was unintentional.

The undersigned attorney believed that the response filed after final on March 6, 2009 was a timely proper reply to the January 7, 2009 Office letter. The undersigned attorney was of this belief because an Advisory Action stating that the reply filed on March 6, 2009 failed to place

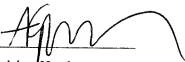
the above-identified application in condition for allowance was not issued until September 29, 2009, and not received until October 19, 2009, which was well after the six month period after the final action ending on July 7, 2009. The Applicants were of the belief that they were entitled to receive an advisory action before the expiry of the six month period after the final action ending on July 7, 2009. Given that no such advisory action had been received during this time, the Applicants believed that the application was in good standing and that a Notice of Allowability would be forthcoming. At no time did the Applicants or the undersigned attorney intend for the above-identified application to go abandoned.

Further delay resulted from the fact that the attorney for the Applicant changed law firms in the interim. There was delay in transferring the Applicants' file from the Attorney's previous law firm due to technicalities of Canadian legal practice.

Applicant concurrently submits a request for continued examination (RCE) (form PTO/SB/30) and the prescribed fee of \$405.00 (37 CFR 1.17(e)). Applicant also concurrently submits the Petition fee of \$810.00 (37 CFR 1.17(m)). Applicant claims small entity status.

Respectfully submitted,

By



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